



MISSOURI DEPARTMENT OF MENTAL HEALTH

KEITH SCHAFER, DEPARTMENT DIRECTOR



DEPARTMENT
OPERATING
REGULATION
NUMBER

DOR
4.537

CHAPTER Program Implementation and Records	SUBCHAPTER Transfer Procedures	EFFECTIVE DATE 7/1/09	NUMBER OF PAGES 2	PAGE NUMBER 1 of 2
SUBJECT Staff Conferences for Biggs Forensic Center Clients		AUTHORITY Federal Consent Decree Section 630.050, RSMo		HISTORY See Below
PERSON RESPONSIBLE Director, CPS			SUNSET DATE 7/1/12	

PURPOSE: Prescribes the requirements and procedures for providing staffing conferences after clients are initially confined in the Biggs Forensic Center, Fulton State Hospital.

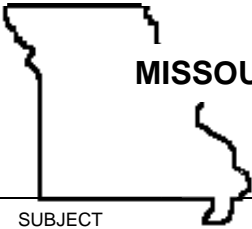
APPLICATION: Applies to Fulton State Hospital, Biggs Forensic Center.

(1) Any client initially placed in the maximum security facility, the Biggs Forensic Center, of Fulton State Hospital, shall be given as soon as possible, but no later than ten (10) days after the date of placement, a written notice, signed by the superintendent of Fulton State Hospital or his designated representative, stating the reason necessitating the placement of the client in the maximum security facility.

(2) The client, whether initially placed or transferred from another facility to the Biggs Forensic Center of Fulton State Hospital, shall be informed by written notice, within ninety (90) days after the date of placement or transfer, that the client will be afforded a staffing conference as to the necessity of the continued hospitalization of the client in the maximum security facility. The client shall be informed of the date, place and time of the staffing conference and that if desired a representative of his choice, such as parent, spouse, legal guardian, minister, attorney or private physician or psychiatrist shall be permitted to attend and submit his or her comments to the staffing conference and question participants of the staffing conference relative to the necessity of continued hospitalization of the client in the maximum security facility. The staffing conference shall be held within ten (10) days after the above provided for written notice is given the client, unless the client requests a reasonable extension of time.

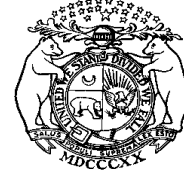
(3) Within five (5) days after the staffing conference if, in fact, the client is to remain hospitalized in the maximum security facility, the client shall be given a written statement signed by the superintendent of Fulton State Hospital, stating the reasons necessitating the continued hospitalization of the client in the maximum security facility. Also, a staffing conference report shall be placed in the medical files of the client which report shall specify the particular necessity for continued hospitalization of the client in the maximum security facility. The staffing report shall specify what available, alternative methods of hospitalization for that client were reviewed and why any less restrictive methods were rejected. Copies of the above provided for written notices, statements and staffing report at the client's directive shall be given to either the parent, spouse, legal guardian or attorney of the client.

(4) As soon as possible but no later than forty-eight (48) hours after the client is informed of the fact that the client is to remain hospitalized in the maximum security facility, the client shall be given a written advisement of the client's right to appeal that decision to the director of the Department of Mental Health. The client shall be



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advised that he has fifteen (15) days to inform the superintendent of Fulton State Hospital or his designated representative of his intent to appeal the decision. If the client elects to appeal the decision, within forty-eight (48) hours after the hospital is put on notice of such intent, the complete medical files of the client shall be transferred to the director of the Department of Mental Health, or his designated representative, who within five (5) working days after receipt of the client's medical files shall determine if the client is to remain hospitalized in the maximum security facility or be transferred out. During the time when the client's medical files are before the director of the Department of Mental Health, or his designated representative, for his determination, the client's attorney or other proper representative, such as parent, spouse or legal guardian, shall be afforded the opportunity to submit comments on the decision to the director or designee for his review.

(5) Failure to comply or assure compliance with the provisions of this DOR may be cause for disciplinary action, including dismissal.

History: Original DOR Effective September 1, 1994. Amendment effective July 1, 2002. Amendment effective April 1, 2003. Amendment effective July 1, 2006. On July 1, 2009, the sunset date was extended to July 1, 2012.